GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

MINES & MINERALS – Mining Lease for Mica, Quartz, Feldspar & Vermiculate over an extent of 12.384 Hectares in Sy.No.s 79/1, 2 & 90 of Utukur (V) and 115/1, 2 of Giddaluru (V), Sydapuram Mandal, SPSR Nellore District held by M/s. Sri Sai Balaji Mines & Minerals - Declared as lapsed under rule 28 (1) of M.C.Rules, 1960 read with rule 20 of Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules 2016 - Orders – Issued.

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INDUSTRIES & COMMERCE (M.III) DEPARTMENT

G.O.Ms.No.68 Dated:21.10.2020

Read the following:

1.G.O.Ms.No.201, Ind & Com (M.III) Dept., dt.16.07.2005.
2.G.O.Ms.No.142, Ind & Com (M.I) Dept., dt.15.06.2009.
3.From the Director of Mines & Geology, Govt. of A.P., Hyderabad single file No.21028/R3-1/2017, dated. 26.07.2017.
4.Govt. Memo No.7165/M.III (1)/2017, dt:01.08.2017.
5.Letter dt:Nil of M/s Sri Sai Balaji Mines and Minerals, recd. through the Hon'ble Minister for PR&RD and Mines & Geology endorsement No.2093/MIN(PR&RD, Mines and Geology)/2020, dt:05.06.2020

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O R D E R :

In the G.O 1st read above, Government have granted a Mining Lease for Mica, Quartz, Feldspar & Vermiculate over an extent of 12.384 Hectares in Sy.No.s 79/1, 2 & 90 of Utukur (V) and 115/1, 2 of Giddaluru (V), Sydapuram Mandal, SPSR Nellore District for a period of 20 years in favour of Sri Penchala Naidu and the Assistant Director of Mines & Geology, SPSR Nellore District has executed the lease on 10.11.2005.

2. In the G O 2nd read above, orders were issued transferring the mining lease in the subject area from Sri Penchala Naidu to Sri Sai Balaji Mines & Minerals for the unexpired portion of the lease up to 09.11.2025.

3. Through the single file 3rd read above, the Director of Mines & Geology, Government of A.P., Hyderabad has submitted detailed proposals for lapsing the lease held by M/s Sri Sai Balaji Mines & Minerals under Rule 28(1) of M.C.Rules,1960 with necessary documents/ inspection reports.

4. Government, after considering the report of the Director of Mines & Geology, Government of A.P., Hyderabad had proposed to lapse the above mining lease held by M/s. Sri Sai Balaji Mines & Minerals and accordingly, a show cause notice (SCN) was issued to the lessee in the memo 4th read above under Rule 28 (1) of M.C. Rules, 1960 read with rule 20 of Mineral Concessional Rules 2016 as to why the Mining Lease held by them shall not be declared as lapsed, for the following lapses/grounds and to submit their explanation/ representation within 15 days failing which it will be construed that they have

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no explanation/ representation on the action proposed and further action will be taken on the material available with the Government:

1) The lessee firm is not maintaining any accounts at mine site and not shown any records.

2) The lessee firm is not maintaining boundary marks and pillars around the leased area shown in the plan annexed to the lease deed sketch.

3) As per the Rule 31 of M.C. Rules, 1960 in Form – K Lease Deed conditions Part – VII (10) and (11), the lessee shall at all time during the said term keep or cause to be kept at an office to be situated upon near the said lands correct and intelligible books of accounts which shall contain accurate entries showing, from time to time and accurate records of all trenches, pits and drillings. But, the lessee has not maintained any office nearer to mine and no responsible person is available at mine site during the day of inspection.

4) Not maintained any Form-B register where the particulars of the employees working in the mine are to be entered with photos and it is a statutory register which is a violation of Rule 77 of Mines Rules, 1955. Whenever if any accident occurred in the mine, it is the authenticated register for payment of compensation.

5) As seen from the field the lessee firm is not following the Mines Act, 1952 and MMDR Act, 1988.

6) As seen from the field the lessee firm is not taking up mining operations.

7) The lease holder is not conducting any mining operations as well as not obtaining the dispatch permits since last 8 years and simply kept the mine idle.

8) The lease holder has not submitted monthly and annual returns in F-9 and H-9 since execution onwards which is violation of Rule 45(1)(a)(ix) of M.C.D.R.,1988.

9) The lease holder has not obtained Environmental Clearance issued by the MoEF and Consent for Operation issued by the APPCB.

10) The lessee is not having any valid Mining Scheme and progressive mine closure plan which is required under rule 12 and 23b(1) of MCDR Rules,1988 and not submitted any Financial

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Assurance which is required under Rule 23F(1) of MCDR Rules 1988.

5. The lessee has not given reply to the SCN with in the stipulated time. The lessee has requested through representation 5th read above to grant a period of 45 days to submit his explanation. However, the lessee has not submitted his explanation even till date. It should be noted in this regard that mineral wealth is the wealth of the nation and should be put to use for public good. Government gave mining lease so that the lessee could do mining scientifically within the prescribed time limits and use the mined mineral. Such a mine would generate revenue for the State by way of taxes, employment for the local people and give boost to the overall economy of the region besides industrializing the area. None of these objectives could be achieved due to the abject of the lessee.

6. Government, after careful examination of the matter, hereby declare that the Mining Lease for Mica, Quartz, Feldspar & Vermiculate over an extent of 12.384 Hectares in Sy.No.s 79/1, 2 & 90 of Utukur Village and 115/1, 2 of Giddaluru Village, Sydapuram Mandal, SPSR Nellore District held by M/s. Sri Sai Balaji Mines & Minerals, as lapsed under rule 28 (1) of M.C.Rules, 1960 read with rule 20 of Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules 2016 as the lessee has failed to fulfill the lease conditions, as pointed out in the SCN vide Memo 4th read above.

7. The Director of Mines & Geology, Government of A.P., Ibrahimpatnam shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT(MINES)

To
M/s. Sri Sai Balalji Mines & Minerals,
Mg.Pt.M.Govardhana Gandhi,
Goginenipuram (V), Nelatur Post,
Gudur, SPSR Nellore District - (BY RPAD)
The Director of Mines & Geology, Government of A.P., Ibrahimpatnam.
Copy to:
The Zonal Joint Director of Mines & Geology, SPSR Nellore District.
The Assistant Director of Mines & Geology, SPSR Nellore District.
The District Collector, SPSR Nellore District.
The Secretary to Govt. of India, Ministry of Mines, Shastry Bhavan, New Delhi-110001.
The Controller General, Indian Bureau of Mines, Indira Bhavan, Civil Lines, Nagpur - 440001.
The Director General, Mines Safety, Dhanbad, Jarkhand.
The Regional Controller of Mines, Koti, Hyderabad.
SF/SCs.(C.No.7165/M.III/A2/2017) (CompNo.244917)

//FORWARDED:: BY ORDER//

SECTION OFFICER